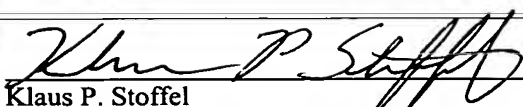


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|---|--|---|---|
| FORM PTO-1390<br>(REV. 2-2005)  |  | U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE | ATTORNEY'S DOCKET NUMBER<br><b>P/4712-4</b>                         |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>   |  |   | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/539428</b> |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/EP2003/014205</b>   | INTERNATIONAL FILING DATE<br><b>13, DECEMBER, 2003</b> | PRIORITY DATE CLAIMED<br><b>19, DECEMBER, 2002</b>            |   |
| TITLE OF INVENTION<br><b>PRESSURE ELECTROLYSER AND CELL FRAME FOR SAID ELECTROLYSER</b>   |  |   |   |
| APPLICANT(S) FOR DO/EO/US<br><b>Marko Rämisch, et al.</b>   |  |   |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |   |   |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An <b>(Unexecuted)</b> oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> |  |   |   |
| <b>Items 11 to 20 below concern other document(s) or information included:</b>  |  |   |   |
| <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information (<i>specify</i>): <i>Notification of the Recording of a Change; International Preliminary Examination Report with amended sheets of claims (German); Chapter II Demand (German); International Search Report; Form PTO-1449; 3 references; four (4) sheets of drawings (Figs. 1-4); and postcard</i></li> </ol>   |  |   |   |

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| U.S. APPLICATION NO. (if known) 37 C.F.R. 1.5)<br><b>10/539428</b>   |              | INTERNATIONAL APPLICATION NO.<br><b>PCT/EP2003/014205</b>                     |   | ATTORNEY'S DOCKET NUMBER<br><b>P/4712-4</b> |              |
|  |              |   |   | CALCULATIONS                                | PTO USE ONLY |
| The following fees have been submitted   |              |   |   | <b>\$300</b>                                |              |
| 21. <input checked="" type="checkbox"/> Basic national fee.....  |              |   |   | <b>\$300</b>                                |              |
| 22. <input checked="" type="checkbox"/> Examination fee  |              |   |   | <b>\$200</b>                                |              |
| If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....  |              |   |   | <b>\$100</b>                                |              |
| All other situations.....  |              |   |   | <b>\$200</b>                                |              |
| 23. <input checked="" type="checkbox"/> Search fee   |              |   |   | <b>\$400</b>                                |              |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....   |              |   |   | <b>\$100</b>                                |              |
| International Search Report prepared and provided to the Office.....   |              |   |   | <b>\$400</b>                                |              |
| All other situations.....  |              |   |   | <b>\$500</b>                                |              |
| <b>TOTAL OF 21, 22 and 23 =</b>  |              |   |   | <b>\$900</b>                                |              |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.  |              |   |   | <b>\$</b>                                   |              |
| Total Sheets   | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE  |   |              |
| - 100 =  | /50 =        |   | x \$250   | <b>\$</b>                                   |              |
| Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).  |              |   |   | <b>\$</b>                                   |              |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA  | RATE  | <b>\$</b>                                   |              |
| Total Claims   | 15 - 20 =    | 0   | x \$ 50   | <b>\$</b>                                   |              |
| Independent Claims   | 2 - 3 =      | 0   | x \$200   | <b>\$</b>                                   |              |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |   | + \$360   | <b>\$</b>                                   |              |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |   |   | <b>\$900</b>                                |              |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.   |              |   |   | <b>\$</b>                                   |              |
| <b>SUBTOTAL =</b>  |              |   |   | <b>\$</b>                                   |              |
| Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).   |              |   |   | <b>\$</b>                                   |              |
| <b>TOTAL NATIONAL FEE =</b>  |              |   |   | <b>\$900</b>                                |              |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by the appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +   |              |   |   | <b>\$</b>                                   |              |
| <b>TOTAL FEES ENCLOSED =</b>   |              |   |   | <b>\$900</b>                                |              |
|  |              |   |   | Amount to be refunded:                      | <b>\$</b>    |
|  |              |   |   | Amount to be charged:                       | <b>\$</b>    |
| a. <input checked="" type="checkbox"/> A check (check number <u>20994</u> ) in the amount <u>\$900.00</u> to cover the above fees is enclosed.<br>b. <input type="checkbox"/> Please charge my Deposit Account No. 15-0700 in the amount of \$_____ to cover the above fees.<br>A duplicate copy of this sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0700. A duplicate copy of this sheet is enclosed. |              |   |   |   |              |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.   |              |   |   |   |              |
| SEND ALL CORRESPONDENCE TO: Klaus P. Stoffel<br>Ostrolenk, Faber, Gerb & Soffen, LLP<br>1180 Avenue of the Americas<br>New York, New York 10036-8402   |              |   | <div style="text-align: center;"> <br/>           Klaus P. Stoffel<br/>           Registration Number: 31,668<br/>           Telephone: (212) 382-0700         </div> <div style="text-align: right;">           June 20, 2005<br/>           Express Label No.<br/>           EV342541901US         </div> |   |              |

NO. 490 P.2  
**10/539428**

JC20 Rec'd PCT/PTO 20 JUN 2005

### TRANSLATION CERTIFICATION

This is a complete and accurate translation by us, to the best of our knowledge and ability, from German into English of:

PCT/EP2003/014,205; original and amended claims

FRANK C. FARNHAM COMPANY, INC.

By: Frank C. Farnham

Name: Frank C. Farnham

Its: General Manager

Date: May 26, 2005



FRANK C. FARNHAM COMPANY, INC

Express Label No.  
EV342541901US